

until the new lab is constructed down at Quantico in the year 2000.

If true, Mr. President, this decision by the FBI would be appalling. I am not prepared at this time to conclude that this is the FBI's intent. But if it is, not only is the FBI in trouble, so are the American people, as Mr. Kennedy so aptly put it. Because if this is true, it is not just a problem with the FBI crime lab; it's a problem with the FBI's overall leadership.

As I mentioned, the IG report will be released to the public no sooner than March 14. Meanwhile, the FBI is out there spinning. In Mr. Kennedy's February 21 letter, he says the IG report, once we all read it, will ultimately reveal no problems. Here's what he says:

[T]he Department of Justice Office of the Inspector General found no instances of perjury, evidence tampering, evidence fabrication, or failure to report exculpatory information.

That's true, but irrelevant. Mr. President, never in my 16 years of sitting on the Judiciary Committee have I found a more misleading statement by an official of the FBI. It has a designed purpose of making the public think everything is under control at the FBI crime lab.

Well, everything is not under control. The fact of the matter is—and the FBI is well aware of this, which is why Mr. Kennedy made this statement—the IG did not investigate to determine if there were any crimes committed by FBI agents—like, perjury, evidence tampering, evidence fabrication, or failure to report exculpatory information. The IG's charter was to determine management problems and administrative problems—not crimes.

The criminal investigation comes next. Because the IG also has the right the refer issues for possible criminal referral. And I predict, Mr. President, that the FBI will have to back off of that statement as well, when all of this is over.

Mr. President, what we're seeing in the FBI lab issue is systemic. It reflects a culture that says the FBI is more interested in a conviction than they are in the truth. They don't reveal all the facts. Only enough to make their case. This is what I intend to show in a future statement before this body. The issue will be the FBI shaving evidence to get a prosecution.

That's not cricket. It's not American. And it can't be tolerated. I grew up the son of a farmer. My father taught me to be proud of the FBI. Its image was that it could do no wrong. A whole generation of people like me grew up believing the FBI could do no wrong. Now, that confidence, that trust, has been shaken.

Finally, Mr. President, let me send a shot across the bow. There are rumors I'm hearing that the FBI intends to fire Dr. Whitehurst right after the IG report is released. My message today to the Bureau is, "you fire Dr. Whitehurst, and you will cause a protracted battle with the Congress over the integrity of the FBI's leadership."

In the end, it will be shown that the standards of the FBI crime lab have been far short of their vaunted reputation. It will be shown that the FBI was well aware of these problems, but chose to do little, if anything, to fix them. It will also be shown that the problems, would not have been addressed by the IG were it not for the courage of Dr. Whitehurst.

This is a wake-up call to the FBI. The public will not tolerate an arrogant response by the FBI in this matter. Too much is at stake; namely, the integrity of the criminal justice system in America. I intend to keep this issue before the American people. I will make sure they understand they have a choice between an FBI with integrity, and an FBI that plays fast and loose with the truth.

Mr. President, I ask unanimous consent that Weldon Kennedy's February 21 letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,  
FEDERAL BUREAU OF INVESTIGATION,  
Washington, DC, February 21, 1997.

Hon. CHARLES E. GRASSLEY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR GRASSLEY: The Attorney General shared a copy of your February 13th letter with me. While the Department of Justice will respond directly to you, because you suggested that I misled you and the public I am compelled to respond to the inferences which you have raised about my personal integrity.

First, let me state that I share your belief that any public servant who misleads the public or Congress should be held accountable regardless of his rank or position. As not only a career civil servant but a sworn law enforcement officer with more than thirty-five years of service to this Nation, I hold dear not only my personal reputation for integrity but also my duty to uphold and defend the constitution. As one who has been charged with the responsibility to investigate the alleged criminal acts of my fellow citizens, I assure you that I am extremely sensitive to my own responsibility, as well as that of other governmental officials such as you to avoid rash judgments and to devote every effort to insure the accuracy of my conclusions.

I remain convinced everything said during our briefing of you is accurate. I further do not believe what Ms. Gorelick said is inconsistent with our position, a position fully supported by the facts.

If you recall from our briefing, Mr. Maddock explained in great detail about how every allegation with even the slightest potential for *Brady* implications was referred to the appropriate prosecutor to determine if the information should be supplied to the defense counsel. This process has been ongoing for more than a year and was undertaken out of an abundance of caution to ensure there is no doubt we have more than met any legal obligation to disclose even potentially exculpatory information to criminal defendants. The fact that information is provided to defendants ensures their right to a fair trial, but is does not mean that a defendant is not guilty or that a successful prosecution will not or should not be brought. That is the process to which Ms. Gorelick referred and which the FBI fully supported.

What I said during our briefing and to the public was that no prosecutions have been

compromised. That remains as accurate today as when I said it. No past or current prosecutions have been compromised and we know of no information that indicates a future case will be compromised. There is no basis to conclude otherwise in spite of journalistic sensationalism which has misled you and the public to believe the contrary.

Through a series of malicious leaks and gross speculation by the press and other uninformed persons, doubt has been cast on the whole of the FBI Laboratory. As I reported to you, after 16 months of intensive investigation, the Department of Justice Office of the Inspector General found no instances of perjury, evidence tampering, evidence fabrication, or failure to report exculpatory evidence. Neither did the inquiry find any support for spurious allegations charging systemic evidence contamination or improper evidence handling.

I believe when you are afforded the opportunity to review the report including our lengthy response, the basis on which I made the statement will be apparent. I also hope this helps you understand why the comments by Ms. Gorelick are not "at odds" with what I said either to you or to the public.

Sincerely yours,

WELDON L. KENNEDY,  
Deputy Director.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, February 24, the Federal debt stood at \$5,340,989,383,890.18.

Five years ago, February 24, 1992, the Federal debt stood at \$3,824,562,000,000.

Ten years ago, February 24, 1987, the Federal debt stood at \$2,241,493,000,000.

Fifteen years ago, February 24, 1982, the Federal debt stood at \$1,046,755,000,000.

Twenty-five years ago, February 24, 1972, the Federal debt stood \$426,341,000,000 which reflects a debt increase of nearly \$5 trillion—\$4,914,648,000,000—during the past 25 years.

#### TRIBUTE TO ROY D. NEDROW

Mr. THURMOND. Mr. President, one of the most unsung professions in the United States is law enforcement. It is a dangerous and demanding career field that offers few tangible rewards, yet it is an occupation that attracts men and women of tremendous dedication and determination, individuals who are committed to making a difference in their lives and jobs. Today, I rise to pay tribute to one such person, Roy D. Nedrow, the Director of the Naval Criminal Investigative Service, who is about to end a distinguished career in local and Federal law enforcement after more than 30 years.

Director Nedrow began his service in law enforcement as a street cop in Berkeley, CA, during the turbulent 1960's. As many know, that city is the home to a beautiful University of California campus, but at that time in Berkeley's history, the plazas, walkways, and streets of, and surrounding, Cal became a kind of urban battleground. No doubt, it was in this contentious and frequently violent environment that Officer Nedrow learned